

Hon. John C. Coughenour  
Note for Consideration: December 6, 2013

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WENDY JENDRYSIK,

Plaintiff,

v.

RECEIVABLES PERFORMANCE  
MANAGEMENT, LLC

Defendant.

**Case No. 2:13-cv-00559**

**DECLARATION OF CHRISTOPHER  
VITTOZ**

I, Christopher Vittoz, under penalty of perjury under 28 U.S.C. §1746, declare as follows:

1. I am an adult over the age of 18. I base this declaration on my personal knowledge. I am competent to testify in this matter.

2. I have been employed by Receivables Performance Management since 2003 in the company's operations center. I am currently RPM's Chief Operating Officer.

3. As COO, my duties include employee selection, discipline and training as well as designing collection floor operations in consultation with our Director of Risk

DECLARATION OF CHRISTOPHER  
VITTOZ IN SUPPORT OF RPM MOTION  
FOR SUMMARY JUDGMENT- 1  
[Case No. 2:13-cv-00559]

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1 Management, Mark Case, Howard George, RPM's founder and CEO and our information  
2 technology department.

3 4. In my ten years of experience in the credit and collection industry, I have  
4 observed two basic business models. In one, individual accounts are assigned to individual  
5 collection agents who work with debtors to devise and implement payment plans. In the  
6 other, collection agents work in a call center where they are not assigned particular accounts  
7 to work. In our case, we have inbound agents and outbound agents. Our inbound agents  
8 take calls as debtors dial in to our toll free number. The agents are seated at computers from  
9 which they can access debtor account information.

10 5. Our outbound agents handle calls we initiate on our system. Our software  
11 consists of two basic modules. One program is a data base of account information. All  
12 information about a debt is contained in the data base, including location information,  
13 account notes, payment history and the like. This is called the Pick system. The other system  
14 we use is manufactured by Noble Systems Corporation. The Noble system controls the  
15 telephone system for outgoing calls.

16 6. When we obtain an account, we program the location information, including  
17 telephone numbers, into the Pick System. We simultaneously program the Noble system to  
18 tell it when to call a particular number. For example, we will tell it to dial work phones  
19 between 10am and 2pm and home phones after 2pm. If we learn that the individual is unable  
20 to accept calls at work, we delete the instruction to dial during the 10am-2pm time frame.  
21 The Noble system really works like a clock radio. We tell it what time to dial. We can change  
22 the dialing algorithm, and we often do, as we learn information about the account.  
23  
24

25 DECLARATION OF CHRISTOPHER  
VITTOZ IN SUPPORT OF RPM MOTION  
FOR SUMMARY JUDGMENT- 2  
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9. We have no software that contains a random or sequential number generator. As such, our system does not have the capacity to randomly or sequentially dial numbers. For each account, we first figure out the best times to call, then we program that schedule into the system as it would make no sense for us to randomly or sequentially dial numbers we manually input into the system.

  
CHRISTOPHER VITTOZ

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